



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

OFFICE OF
COMPLIANCE AND ENFORCEMENT

DEC - 3 2015

Reply To: OCE-101

Certified Mail - Return Receipt Requested

Mr. Donny Masterson
P.O. Box 616
St. Maries, Idaho 83861

Re: **NOTICE OF VIOLATION**
Mountain Plating
EPA ID Number IDR 000201756

Dear Mr. Masterson:

This Notice of Violation (NOV) is to inform you of violations of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 et seq. These violations were identified as a result of an inspection performed by the U.S. Environmental Protection Agency (EPA) on October 13, 2015, at the Mountain Plating facility located at 90 Borgman Lane, St. Maries, Idaho 83861. The purpose of the inspection was to ensure compliance with Idaho's federally authorized hazardous waste program which incorporates the federal Resource Conservation and Recovery Act regulations by reference. Specifically, the inspection assessed compliance with standards for conditionally exempt generators of hazardous waste, standards for hazardous waste generators, and requirements for management of used oil. This inspection was performed pursuant to EPA's authority under Section 3007 of RCRA, 42 U.S.C. § 6927.

At the time of the inspection, the following violation was observed:

Violation 1: Failure to label containers of used oil with the words "Used Oil".

The regulation 40 C.F.R. § 279.22(c) states that containers used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

At the time of the inspection, the inspector observed that two tanks containing used oil were not marked with the words "Used Oil" as required by 40 C.F.R. § 279.22(c).

Required Action

The above violation may subject Mountain Plating to enforcement action under Section 3008 of RCRA, including the assessment of civil penalties. Following the inspection EPA received a photo showing that one of the tanks had been labeled with the words "Waste Oil". The regulations specifically state that the tanks must be labeled with the words "Used Oil". Within fifteen (15) days of receipt of this NOV, the EPA requests that you submit a written response that identifies all actions you have taken or will take to

correct the violations and the time frame for completing such action. This response must include proper documentation and photographs of the corrected action.

Please send all material submitted in response to this NOV to Jack Boller by email at bolter.jack@epa.gov, or:

Jack Boller
U.S. Environmental Protection Agency
Air-RCRA Compliance Unit, AWT-150
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

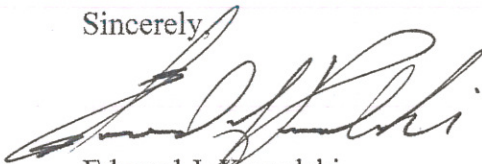
EPA Reservation of Rights

Notwithstanding this NOV or your response, the EPA reserves the right to take any action pursuant to RCRA or any other applicable legal authority, including without limitation, the right to seek injunctive relief, implementation of response actions or corrective measures, cost recovery, monetary penalties, and punitive damages. Your response to this NOV does not constitute compliance with RCRA.

Nothing in this NOV or your response shall affect duties, obligations, or responsibilities with respect to Mountain Plating under local, state, or federal law or regulation.

Thank you for your prompt attention to this important matter. If you have questions regarding this NOV, please contact Jack Boller of my staff at 206-553-2953 or by email at bolter.jack@epa.gov.

Sincerely,



Edward J. Kowalski
Director

cc: Natalie Clough, IDEQ